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United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ARTURO YANEZ, JR.,  
FRANCISCO JAVIER TOVAR TRONCOSO,  
and  
MARIO RAYES,  
  
Defendants.

CASE NO. 1:22-CR-00143-ADA-BAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: October 25, 2023

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on October 25, 2023.
2. By this stipulation, defendants now move to continue the status conference until April 10, 2024, and to exclude time between October 25, 2023, and April 10, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes reports, photographs, and audio files and is voluminous. This discovery has been either produced directly to counsel and/or made available for inspection and copying, and the

1 production of or availability of more discovery is anticipated.

2 b) Counsel for defendants desire additional time to further review discovery, discuss  
3 potential resolution with defendants and the government, and investigate and prepare for trial.

4 c) Counsel for defendants believe that failure to grant the above-requested  
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
6 into account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of October 25, 2023 to April 10,  
13 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
14 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
15 of the Court's finding that the ends of justice served by taking such action outweigh the best  
16 interest of the public and the defendant in a speedy trial.

17 g) The parties also agree that this continuance is necessary for several reasons,  
18 including but not limited to, the need to permit time for the parties to exchange supplemental  
19 discovery, engage in plea negotiations, and for the defense to continue its investigation and  
20 preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 20, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ STEPHANIE M. STOKMAN  
STEPHANIE M. STOKMAN  
Assistant United States Attorney

Dated: October 20, 2023

/s/ MARIO TAFUR  
MARIO TAFUR  
Counsel for Defendant  
ARTURO YANEZ, JR.

Dated: October 20, 2023

/s/ REED GRANTHAM  
REED GRANTHAM  
Counsel for Defendant  
FRANCISCO JAVIER TOVAR  
TRONCOSO

Dated: October 20, 2023

/s/ ALEKXIA L. TORRES  
STALLINGS  
ALEKXIA L. TORRES  
STALLINGS  
Counsel for Defendant  
MARIO RAYES

**ORDER**

IT IS SO ORDERED that the status conference is continued from October 25, 2023, to **April 10, 2024, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **October 20, 2023**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE